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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,726	04/14/2004	Lila Madour	P18237US2	4794

7590 09/17/2007
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EXAMINER

KANGARLOO, RAMTIN

ART UNIT	PAPER NUMBER
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2609

MAIL DATE	DELIVERY MODE
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09/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,726

Applicant(s)

MADOUR, LILA

Examiner

Ramtin Kangarloo

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/10/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Amin (US Patent No. 6910074)

Regarding **claim 1**, Amin discloses a method for insuring Quality of Service (QoS) for a data session in a CDMA2000 network, the method comprising the steps of:

a) Receiving a message from an Authentication, Authorization, and Accounting (AAA) server, the message comprising a QoS traffic class relative to a subscriber (See col. 16, Lines 29-32).

b) Mapping the QoS traffic class to at least one CDMA2000 QoS attribute; and c) using the at least one CDMA2000 QoS attribute for establishing the data session for the subscriber (See col. 6, Lines 55-57 and Col.7 Lines 13-14 and Abstract).

Regarding **claim 2**, Amin discloses the method of claim 1, wherein step c) comprise the steps of:

c.1) Receiving a request for an auxiliary service instance having a requested CDMA2000 QoS attribute (See col. 7, Lines 32-35); and

c.2) Determining whether or not the requested CDMA2000 QoS attribute for the auxiliary service instance is allowed using the at least one CDMA2000 QoS attribute (See col. 7, Lines 23-29).

Regarding **claim 3**, Amin discloses the method of claim 2, further comprising the step of: d) if the CDMA2000 QoS attribute is allowed, setting-up the auxiliary service instance with a QoS that corresponds to the requested CDMA2000 QoS attribute (See col. 13, Lines 33-40).

3. Claims 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Li (US Patent No. 6728365)

Regarding **claim 4**, Li discloses a Packet Data Service Node (PDSN) for use in a CDMA2000 network, the PDSN comprising (See col.6, Lines 26-27). A mapping table storing a correspondence between QoS traffic classes and CDMA2000 QoS attributes (See col.6, Lines 6-9). A User Profile Interface capable of receiving a message from an Authentication, Authorization, and Accounting (AAA) server, the message comprising a QoS traffic class relative to a subscriber; (See col.2, Lines 46-47 and Col. 6 Lines 32-34) and a Resources

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Management Logic that maps the QoS traffic class to at least one CDMA2000 QoS attribute using information from the mapping table, and that uses the at least one CDMA2000 QoS attribute for establishing a data session for a subscriber (See col.1, Lines 49-54).

Regarding **claim 5**, Li discloses the PDSN of claim 4 further comprising: a Radio access network Packet data (RP) Interface module capable of receiving a request for an auxiliary service instance having a requested CDMA2000 QoS attribute (See col. 1, Lines 56-59). Wherein the Resources Management Logic determines whether or not the requested CDMA2000 QoS attribute for the auxiliary service instance is allowed using the at least one CDMA2000 QoS attribute (See col. 8, lines 40-43).

Regarding **claim 6**, Li discloses the method of claim 5, wherein if the CDMA2000 QoS attribute is allowed, the RP Interface module acts to set-up the auxiliary service instance with a QoS that corresponds to the requested CDMA2000 QoS attribute (See col. 12, Lines 11-20).

Conclusion

6. Any response to this Office Action should be **faxed** to (571) 273-8300 or **Mailed** to :

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Commissioner for Patents,
P.O.Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramtin Kangarloo whose telephone number is (571) 270-3452. The examiner can normally be reached on Monday to Thursday 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571) 272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

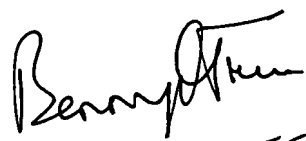
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramtin Kangarloo

Examiner Art Unit 2609

September 10, 2007


BENNY Q. TIEU
SPE/TRAINER